

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ROVIO ENTERTAINMENT, LTD.,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
VS.)	
)	3:13-CV-4719-G
AM WHOLESALE, INC., ET AL.,)	
)	
Defendants.)	

ORDER

Before the court motion to dismiss of the defendants AM Wholesale, Inc., Ali Raza Ravjani, AMAFHH International, Inc., AMAFHH Center, Inc., and Moshin Raza Ravjani (collectively, “the defendants”) (docket entry 85). FED. R. CIV. P. 12(b)(6) authorizes dismissal of a complaint “for failure to state a claim upon which relief can be granted.” A motion under Rule 12(b)(6) should be granted only if it appears beyond doubt that the plaintiff could prove no set of facts in support of its claim that would entitle it to relief. *Conley v. Gibson*, 355 U.S. 41, 45-46 (1957); *Leffall v. Dallas Independent School District*, 28 F.3d 521, 524 (5th Cir. 1994) (citations omitted). Before dismissal is granted, the court must accept all well-pleaded facts as

true and view them in the light most favorable to the non-movant. *Capital Parks, Inc. v. Southeastern Advertising and Sales System, Inc.*, 30 F.3d 627, 629 (5th Cir. 1994) (citation omitted); *Norman v. Apache Corporation*, 19 F.3d 1017, 1021 (5th Cir. 1994) (citations omitted); *Chrissy F. by Medley v. Mississippi Department of Public Welfare*, 925 F.2d 844, 846 (5th Cir. 1991). The thrust of the motion is that the plaintiff has failed to state claims upon which this court could grant it relief. The court concludes, however, that the defendants have failed to show that the plaintiff could prove no set of facts in support of its claims that would entitle it to relief. See *Conley*, 355 U.S. at 45-46. Accordingly, the motion is **DENIED**.

SO ORDERED.

June 19, 2014.



A. JOE FISH
Senior United States District Judge